IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTEENTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

-

WRIT PETITION NO : 9274 of 2005

Between:

1 Kankipati Suryanarayana s/o Avatharam,
D.No.2-126, Seethampeta, Kovvur Mandal,

West Godavari District, and 3 others.

..... PETITIONERS

AND

1 The District Collector,

Office of the District Collector, Eluru,

West Godavari District, and 4 others.

.....RESPONDENTS

ORDER: **(Per Hon'ble Sri Bilal Nazki, The Acting Chief Justice)**

Heard learned Counsel for petitioners and learned Counsel for respondent No.4. Nobody represents respondent No.5, although he has been served. Yesterday also, the case was adjourned, as respondent No.5 was not represented.

Petitioners' case is that respondent No.5 is running business of brick kiln, and thereby creating the pollution.

Respondent No.4-A.P.Pollution Control Board has filed a counter, in which it is stated that it is not within their power to take any action against respondent No.5, as the brick kiln is not within the purview of the Pollution Control Board, and although they have visited the site and found some amount of air pollution, it is the job of respondent No.3-Gram Panchayat to take suitable action in the matter under the A.P.Panchayat Raj Act, 1994.

In this view of the matter, we dispose of the writ petition directing respondent No.3-Gram Panchayat to enquire and examine, whether there is any pollution created by respondent No.5 as a result of running the brick kiln, and if so, take appropriate action in accordance with law, after hearing respondent No.5. No costs.

(Bilal Nazki, A.C.J)

18th October, 2005

(R.Subhash Reddy, J)

Note:

Furnish CC

In two days

B/o

LUR